



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/626,733	04/02/96	FARMER	J

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LN11/0210

EXAMINER
BRITTON, H

ART UNIT	PAPER NUMBER
2713	4

DATE MAILED:

02/10/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/626,733

Applicant(s)
J. O. FARMER

Examiner
Howard W. Britton

Group Art Unit
2713



☒ Responsive to communication(s) filed on Dec 24, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-42 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 11-25 and 33-42 is/are allowed.

☒ Claim(s) 1-5, 26, and 27 is/are rejected.

☒ Claim(s) 6-10 and 28-32 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2615

1. The formal drawings were received on April 2, 1996. These drawings are approved.
2. The abstract of the disclosure is objected to because the expression "is adjusted to match a preselected ad audio level" (line 15) is unclear. Correction is required. See MPEP § 608.01(b).
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
4. Claims 1-5, 26 and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by DUGAN (4,864,627), (Note Fig. 7, col. 10, lines 19-66).
5. Claims 6-10 and 28-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Art Unit: 2615

SEE	2,969,427
SCHMELZER	5,424,770
LEE	5,617,151
BRYANT	5,652,615.

7. Claims 6-25 and 28-42 are allowable over the art of record.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Howard W. Britton whose telephone number is (703) 305-4724. The examiner can normally be reached on Monday through Friday from 8:30 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tommy Chin, can be reached on (703) 305-4715. The fax phone number for this Group is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Serial Number: 08/626,733

Page 4

Art Unit: 2615

or faxed to:

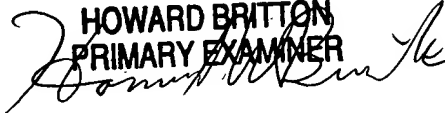
(703) 308-9051, (for formal communication intended for entry)

or:

(703) 308-5399, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

HOWARD BRITTON
PRIMARY EXAMINER


01-23-98 hwb